

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN**

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KATHRYN KNOWLTON, ANDREW AARON, KAMILA AHMED, ROBERT AGNEW, ISIAH BALDWIN, JACQUELINE BOGENBERGER, LAVITA BOOKER, REBECCA BURRELL, RAINE CICH, TAHUDAH COLE, TALEAVIA COLE, TRACY COLE, KHALIL COLEMAN, STEVEN CONKLIN, LAURYN CROSS, RACHEL DULAY, ANNE DELESSIO-PARSON, ERIK FANNING, JESSICA FENNER, JILL FERGUSON, BREON FOSTER, JOANNA GEISLER, CHRISTINE GROPP, GAIGE GROSSKREUTZ, JOSEPH HAYES, PERCY HAYES, DESTINEY JONES, ADANTE JORDAN, MARY KACHELSKI, SEAN KAHER, JOEY KOEPP, JOHN LARRY, ALEX LARSON, SONORA LARSON, HOLLY LAVORA, LAZARITO MATHEU, VAUN MAYES, DANA McCORMICK, MOLLY NILSEN, SHAWN PAGE, CARMEN PALMER, (JUVENILE) PALMER 1, (JUVENILE) PALMER 2, LEAH PORTER, AIDALI RIVERA, WILLIAM RIVERA, HECTOR RODRIGUEZ, JOSE HERNANDEZ RAMIREZ, OSCAR CONCEPCION RODRIGUEZ, ROSALIND ROGERS, NATHAN SABEL, WILLIAM SCHROEDER, MADELIENE SCHWEITZER, MARIAH SMITH, PETER SPARKS, TIFFANY STARK, ANGEL VEGA, CHRISTINA VITOLO-HADDAD, GABRIELLA VITUCCI, TRISTIANA WALLS, OSCAR WALTON, JAYDEN WELCH, BRITTA WELCH, SUZANNE WELLS, BRANDON WILBORN, TRISHA WILSON, KATELYN WOJNAR, SONJA WORTHY, and MEMBERS OF THE PEOPLE'S REVOLUTION, AN UNINCORPORATED ENTITY, hereinafter referred to as (TPR), on behalf of themselves and all others similarly situated,

Plaintiffs,

v.

CASE NO. 20 CV 01660

CITY OF WAUWATOSA,  
DENNIS McBRIDE in his individual capacity,  
JEFFREY FARINA, in his individual capacity,  
DOMINICK RATKOWSKI in his individual capacity, and  
JOSEPH ROY in his individual capacity,

Defendants.

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**DEFENDANTS' ANSWER AND AFFIRMATIVE DEFENSES TO PLAINTIFFS'  
FOURTH AMENDED COMPLAINT**

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Defendants, City of Wauwatosa, Dennis McBride, Jeffrey Farina, Dominick Ratkowski, and Joseph Roy, by their attorneys, Wirth + Baynard, submit their Answer to Plaintiffs' Fourth Amended Complaint (Dkt. No. 155) as follows:

## **I. INTRODUCTION**

1. Deny The City of Wauwatosa, through its Police Department, has spent the past two years engaged in a political campaign against those who call for justice and reform. As the remaining portion of this Paragraph, lack knowledge and information sufficient to form a belief as to the truth or falsity of the remaining allegations and, therefore, deny and put Plaintiffs to their proof.

2. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

3. Admit that this is a civil action brought pursuant to 42 U.S.C. § 1983. Deny that Plaintiffs have suffered a constitutional violation; that the City of Wauwatosa and Mayor Dennis McBride issued “unlawful emergency orders;” or that Chief Barry Weber enforced any “unlawful emergency orders.”

4. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

5. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

6. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

7. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

8. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

9. Deny.

10. Admit that during his June 23, 2021 deposition, Defendant Dominick Ratkowski testified that on or around June 5, 2020 he began compiling a list of individuals who were present at protests in Wauwatosa during the summer of 2020. Deny the remaining allegations.

11. Deny.

12. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

13. Admit that based upon recent experience with protests concerning the continued employment of Officer Mensah by the WPD and upon community response to decisions and actions regarding police officers nationwide, most recently in Kenosha, Wisconsin, and Louisville, Kentucky, Mayor McBride anticipated that an emergency would exist in the City of Wauwatosa due to conditions which could arise following the announcement by the Milwaukee County District Attorney of his findings in the matter of the investigation of Officer Joseph Mensah regarding the killing of Alvin Cole, including civil unrest throughout Wauwatosa which created concerns for the safety of persons and property and could impair transportation, health, and police protection and other critical systems in Wauwatosa and Mayor McBride believed it was in the City of Wauwatosa's best interest to enact a curfew between the hours of 7:00 p.m. and 6:00 a.m. As to the remainder of the allegations in this Paragraph, deny.

14. Admit Luke Vetter was the Operational Supervisor for the police operations in Wauwatosa. Deny the remaining allegations.

15. Deny.

16. Deny.

17. Deny.

18. Lack knowledge and information sufficient to form a belief as to the truth or falsity

of this Paragraph, and therefore deny and put Plaintiffs to their proof.

19. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

## **II. JURISDICTION AND VENUE**

20. Admit.

21. Paragraph 21 states a legal conclusion to which no response is required; to the extent a response is required lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

23. Admit.

## **III. THE PARTIES TO THIS COMPLAINT**

24. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny the same.

25. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny the same.

26. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

27. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

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87. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

88. Admit.
89. Admit.
90. Deny and affirmatively state Defendant was dismissed by the Court on 08/24/2022.
91. Deny and affirmatively state Defendant was dismissed by the Court on 08/24/2022.
92. Upon information and belief, admit.
93. Deny and affirmatively state Defendant was dismissed by the Court on 08/24/2022.
94. Deny and affirmatively state Defendant was dismissed by the Court on 08/24/2022.
95. Deny and affirmatively state Defendant was dismissed by the Court on 08/24/2022.
96. Deny and affirmatively state Defendant was dismissed by the Court on 08/24/2022.
97. Upon information and belief, admit.
98. Deny and affirmatively state Defendant was dismissed by the Court on 08/24/2022.
99. Upon information and belief, admit.
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105. Deny and affirmatively state Defendant was dismissed by the Court on 08/24/2022.
106. Deny and affirmatively state Defendant was dismissed by the Court on 08/24/2022.
107. Deny and affirmatively state Defendants were dismissed by the Court 08/24/2022.

**IV. HISTORICAL BACKGROUND OF RACIAL ISSUES IN WAUWATOSA AND THE WAUWATOSA POLICE DEPARTMENT**

108. Lack knowledge and information sufficient to form a belief as to the truth or falsity of the remaining allegations in this Paragraph, and therefore deny and put Plaintiffs to their proof.

109. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

110. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

111. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

112. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

113. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

114. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

115. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

116. Admit that Barry Weber was hired as Police Chief in 1990, retired on June 1, 2021, and was replaced by James MacGillis. Lack knowledge and information sufficient to form a belief as to the truth or falsity of the remaining allegations in this Paragraph, and therefore deny and put Plaintiffs to their proof.

117. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

118. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

119. Lack knowledge and information sufficient to form a belief as to the truth or falsity

of this Paragraph, and therefore deny and put Plaintiffs to their proof.

120. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

121. This is not a complete or clear sentence. Accordingly, lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiff to her proof.

122. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiff to her proof.

123. Admit that the cited material is available as cited. Lack knowledge and information sufficient to form a belief as to the truth or falsity of the remaining allegations in this Paragraph, and therefore deny and put Plaintiffs to their proof.

124. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

125. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

126. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

127. Upon information and belief, admit.

**V. BACKGROUND OF PROTESTING IN WAUWATOSA and the KILLIN OF ALVIN COLE, JAY ANDERSON, and ANTONIO GONZALES**

128. Admit.

129. Admit that Officer Mensah used deadly force to stop the threat posed by Alvin Cole, who at Mayfair Mall had pointed and attempted to fire a handgun at officers.

130. Admit that while employed as on officer for WPD Mensah shot and killed Jay

Anderson Jr. on June 23, 2016 and Antonio Gonzalez on July 15, 2015 and that both shootings were investigated and determined to be justified uses of force.

131. Deny any implication that Mensah should have been held accountable by WPD. As to the remaining allegations, lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

132. Admit that Officer Mensah used deadly force to stop the threat posed by Antonio Gonzales on July 15, 2015, and that the shooting was investigated and determined to be justified use of force. As to the remaining allegations, lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

133. Admit that Officer Mensah used deadly force to stop the threat posed by Jay Anderson Jr. on June 23, 2016, at Madison Park and that the shooting was investigated and determined to be justified use of force.

134. Deny.

135. Admit that Judge Glenn Yamahiro appointed two Special Prosecutors to investigate the Jay Anderson Jr. shooting—who ultimately declined to issue charges against Mensah. Lack knowledge and information sufficient to form a belief as to the truth or falsity of the remaining allegations in this Paragraph, and therefore deny and put Plaintiffs to their proof.

136. Upon information and belief, admit.

137. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

138. Admit.

139. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

140. Deny.

141. Upon information and belief, admit.

142. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

143. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

144. Deny Plaintiffs were given non-criminal municipal tickets by WPD officers for being involved in peaceful protests. As the remaining allegations, lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

145. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

146. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

147. Admit generally that George Schimmel prosecutes municipal tickets for the City of Wauwatosa and that he has prosecuted tickets of Plaintiffs. Deny that Plaintiffs were given non-criminal municipal tickets solely for being involved in protests or present in Wauwatosa in 2020.

**VI. TPR TARGET LIST – May 25, 2020 to Present**

**A. BACKGROUND**

148. Admit that Defendant Dominick Ratkowski is a civilian crime analyst hired by the City of Wauwatosa who created a list of individuals involved in protests while working in his official capacity. Deny the remaining allegations in this Paragraph.

149. Deny.

150. Deny.

151. Deny.

152. Deny the document was a “Target List” and deny any implication Wrucke, Vetter, or Weber should have stop development of the document or provided instruction regarding the document. As to the remaining allegations of this Paragraph, lack knowledge and information sufficient to form a belief as to the truth or falsity, and therefore deny and put Plaintiffs to their proof.

153. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

154. Deny the document was a “Target List.” As to the remaining allegations of this Paragraph, lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

155. Deny the document was a “Target List.” As to the remaining allegations of this Paragraph, lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

156. Deny.

157. Deny the document was a “Target List.” As to the remaining allegations of this Paragraph, lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

158. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

#### B. PLAINTIFFS’ ALLEGATIONS

PLAINTIFFS Andrew Aaron, Robert Agnew, Kamila Ahmed, Isiah Baldwin, Jacqueline Bogenberger, Lavita Booker, Rebecca Burrell, Raine Cich, Khalil Coleman, Tahudah Cole,

Taleavia Cole, Tracy Cole, Steven Conklin, Lauren Cross, Erik Fanning, Jessica Fenner, Breon Foster, Christine Groppi, Gaige Grosskreutz, Joseph Hayes, Percy Hayes, Adante Jordan, Mary Kachelski, Sean Kafer, Joseph Koepp, John Larry, Alex Larson, Sonora Larson, Vaun Mayes, Molly Nilssen, Shawn Page, Carmen Palmer, Juvenile (male) Palmer, Juvenile (female) Palmer, Oscar Rodriguez, Rosalind Rogers, Madeline Schweitzer, Mariah Smith, Peter Sparks, Tiffany Stark, Angel Vega, Gabriella Vitucci, Tristiana Walls, Oscar Walton, Jayden Welch, Britta Welch, Brandon Wilborn, Trisha Wilson, and Kathelyn Wojnar

159. Deny the document was a “Target List.” As to the remaining allegations of this Paragraph, lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

160. Deny.

161. Deny.

162. Deny.

163. Deny.

164. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

165. Deny.

166. Deny.

167. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

168. Deny.

169. Deny.

## **VII. CITY OF WAUWATOSA’S PEACEFUL PROTESTS AUGUST 13, 2020**

### **A. BACKGROUND**

170. Admit that Officer Joseph Lewandowski created a PowerPoint slide in August 2020. As to the remaining allegations of this Paragraph, lack knowledge and information



sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

171. Admit the PowerPoint slide created by Defendant Lewandowski speaks for itself.

172. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

173. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

174. Admit Defendant Lewandowski was promoted to Sergeant by former Defendant Chief Weber. Lack knowledge and information sufficient to form a belief as to the truth or falsity of the remainder of this Paragraph, and therefore deny and put Plaintiffs to their proof.

175. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

176. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

177. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

178. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

**B. PLAINTIFFS ALLEGATIONS on AUGUST 13, 2020**

**PLAINTIFFS Andrew Aaron, Khalil Coleman, Mariah Smith, and Gabriella Vitucci**

179. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

180. Lack knowledge and information sufficient to form a belief as to the truth or falsity

of this Paragraph, and therefore deny and put Plaintiffs to their proof.

181. Upon information and belief, admit.

182. Upon information and belief, admit.

183. Upon information and belief, admit.

184. Deny.

185. Deny.

186. Deny.

187. Deny.

188. Deny.

189. Deny.

190. Deny.

#### **VIII. CITY OF WAUWATOSA'S PEACEFUL PROTESTS AUGUST 14, 2020**

##### **A. BACKGROUND**

191. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

192. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

##### **B. PLAINTIFFS' ALLEGATIONS on AUGUST 14, 2020**

PLAINTIFFS Isiah Baldwin, Khalil Coleman, Joseph Hayes, Sean Kafer, Gabriella Vitucci, and Brandon Wilborn

193. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

194. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

195. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

196. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

197. Admit plaintiffs were mailed tickets from Defendant Jeffrey Farina. Deny the remaining allegations in this paragraph.

198. Upon information and belief, admit.

199. Upon information and belief, admit.

200. Deny.

201. Deny.

202. Deny.

203. Deny.

204. Deny.

**IX. CITY OF WAUWATOSA'S PEACEFUL PROTEST – SEPTMBER 5, 2020**

**A. BACKGROUND**

205. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

206. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

207. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

208. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

209. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

210. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

**B. PLAINTIFFS' ALLEGATIONS**

Plaintiffs Isiah Baldwin, Rosalind Rogers, and Mariah Smith

**i. Plaintiff Mariah Smith – September 5, 2020**

211. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

212. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

213. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

214. Admit Plaintiff Smith was arrested. Deny the remaining allegations in this Paragraph.

215. Admit Plaintiff Smith was arrested. Deny the remaining allegations in this Paragraph.

216. Deny.

217. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

218. Deny.

219. Deny.

220. Lack knowledge and information sufficient to form a belief as to the truth or falsity

of this Paragraph, and therefore deny and put Plaintiffs to their proof.

221. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

222. Deny.

ii. Plaintiffs Isiah Baldwin and Rosalind Rogers – September 5, 2020

223. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

224. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

225. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

226. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

227. Admit Plaintiffs Baldwin and Rogers were placed under arrest. Deny the remaining allegations in this Paragraph.

228. Lack knowledge and information sufficient to form a belief as to the truth or falsity of the remaining allegations in this Paragraph, and therefore deny and put Plaintiffs to their proof.

229. Deny.

230. Deny.

231. Deny.

232. Deny.

233. Deny.

**X. CITY OF WAUWATOSA'S CURFEW FROM OCTOBER 7 – 12, 2020**

**A. BACKGROUND**

234. Admit.

235. Admit.

236. Paragraph 236 states a legal conclusion to which no response is required; to the extent a response is required lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

237. Admit Defendant McBride signed the emergency proclamation on September 30, 2020, and declared a curfew. Lack knowledge and information sufficient to form a belief as to the truth or falsity of the remainder of this Paragraph, and therefore deny and put Plaintiffs to their proof.

238. Deny.

239. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

240. Admit Defendant McBride instituted the curfew for the reasons stated in the emergency proclamation.

241. Admit.

242. Paragraph 242 states a legal conclusion to which no response is required; to the extent a response is required lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

243. Paragraph 243 states a legal conclusion to which no response is required; to the extent a response is required, deny.

244. Paragraph 244 states a legal conclusion to which no response is required; to the

extent a response is required, lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

245. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

246. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

247. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

248. Upon information and belief, admit.

249. Paragraph 249 states a legal conclusion to which no response is required; to the extent a response is required, lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

250. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

251. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

252. Admit Defendant McBride shared information about the curfew and the emergency proclamation with Milwaukee Mayor Tom Barrett on October 6, 2020. Lack knowledge and information sufficient to form a belief as to the truth or falsity of the remaining allegations in this Paragraph, and therefore deny and put Plaintiffs to their proof.

253. Paragraph 253 states a legal conclusion to which no response is required; to the extent a response is required, lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

254. Deny.

255. Upon information and belief, admit.

256. Deny.

257. Lack knowledge and information sufficient to form a belief as to the truth or falsity of the remaining allegations in this Paragraph, and therefore deny and put Plaintiffs to their proof.

258. Paragraph 258 states a legal conclusion to which no response is required; to the extent a response is required, lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

259. Deny.

260. Upon information and belief, admit.

261. Deny.

262. Lack knowledge and information sufficient to form a belief as to the truth or falsity of the remaining allegations in this Paragraph, and therefore deny and put Plaintiffs to their proof.

263. Lack knowledge and information sufficient to form a belief as to the truth or falsity of the remaining allegations in this Paragraph, and therefore deny and put Plaintiffs to their proof.

264. Deny.

265. Deny.

266. Deny.

267. Deny.

268. Deny.

269. Deny.

270. Deny.

271. Deny.



B. PLAINTIFFS' ALLEGATIONS

1) *Curfew In Wauwatosa From October 7, 2020 – October 12, 2020*

**PLAINTIFFS Isiah Baldwin, Jacqueline Bogenberger, Raine Cich, Tahudah Cole, Taleavia Cole, Tracy Cole, Rachel Dulay, Anne Delessio-Parson, Erik Fanning, Jill Ferguson, Breon Foster, Joanna Geisler Joseph Hayes, Destiney Jones, Kathelyn Knowlton, Sonora Larson, Holly Lavora, Dana McCormick, Lazarito Matheu, Molly Nilssen, Carmen Palmer, Palmer (Juvenile) female 1, Palmer (Juvenile) male 2, Leah Porter, Aidali Rivera, William Rivera, Hector Rodriguez, Jose Hernandez Ramirez, Oscar Rodriguez, Nathan Sabel, William Schroeder, Peter Sparks, Angel Vega, Christina Vitolo-Haddad, Gabriella Vitucci, Suzanne Wells, Katelyn Wojnar, and Sonja Worthy.**

272. Deny.

273. Deny.

274. Upon information and belief, admit.

275. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

276. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

277. Admit.

278. Admit.

279. Upon information and belief, admit.

280. Admit Schimmel knows that Wis. Stat. §323.14 is the controlling legislation. Deny the remaining allegations in this Paragraph.

281. Upon information and belief, admit.

282. Lack knowledge and information sufficient to form a belief as to the truth or falsity of the remaining allegations in this Paragraph, and therefore deny and put Plaintiffs to their proof.

283. Upon information and belief, admit.

284. Lack knowledge and information sufficient to form a belief as to the truth or falsity

of this Paragraph, and therefore deny and put Plaintiffs to their proof.

2) *OCTOBER 7, 2020*

i. PLAINTIFF Oscar Concepcion Rodriguez – October 7, 2020

285. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

286. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

287. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

288. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

289. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

290. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

291. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

292. Admit that Oscar Rodriguez's car was towed from the area. Deny the remaining allegations in this Paragraph.

293. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

294. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

295. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

296. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

297. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

298. Deny.

299. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

300. Admit.

301. Admit.

302. Admit that Schimmel and Defendant Farina know that going to and from work is an exception to being exempt from the curfew. Deny the remaining allegations in this Paragraph.

303. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

3) *OCTOBER 8, 2020*

**PLAINTIFFS Tahudah Cole, Taleavia Cole, Tracy Cole, Rachel Dulay, Erik Fanning, Joseph Hayes, Destiney Jones, Sonora Larson, Holly Lavora, Carmen Palmer, Palmer (female) Juvenile 1, Palmer (male) Juvenile 2, Jose Hernandez Ramirez, Nathan Sabel, Suzanne Wells,**

**i. PLAINTIFF Tracy Cole and Tahudah Cole – October 8, 2020**

304. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

305. Upon information and belief, admit.

306. Lack knowledge and information sufficient to form a belief as to the truth or falsity

of this Paragraph, and therefore deny and put Plaintiffs to their proof.

307. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

308. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

309. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

310. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

311. Admit that Tahudah Cole was removed from the car by WPD Officer Benjamin Rebholz. Deny the remaining allegations in this Paragraph.

312. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

313. Deny.

314. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

315. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

316. Deny.

317. Deny.

318. Deny.

319. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

320. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

321. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

322. Deny.

323. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

324. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

325. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

326. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

327. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

328. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

329. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

330. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

331. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

332. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

333. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

334. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

335. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

336. Deny.

337. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

ii. PLAINTIFF Taleavia Cole – October 8, 2020

338. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

339. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

340. Deny.

341. Deny.

342. Deny.

343. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

344. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

345. Deny.

346. Deny.

347. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

348. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

349. Deny.

350. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

351. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

352. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

353. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

354. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

355. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

356. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

357. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

358. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

359. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

360. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

361. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

362. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

363. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

364. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

365. Deny.

366. Deny.

367. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

368. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

369. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

370. Lack knowledge and information sufficient to form a belief as to the truth or falsity



of this Paragraph, and therefore deny and put Plaintiffs to their proof.

371. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

371.[sic] Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

372. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

**iii. PLAINTIFFS Holly Lavora and Nathan Sabel – October 8, 2020**

373. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

374. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

375. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

376. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

377. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

378. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

379. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

380. Lack knowledge and information sufficient to form a belief as to the truth or falsity

of this Paragraph, and therefore deny and put Plaintiffs to their proof.

381. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

382. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

383. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

384. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

385. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

386. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

387. Deny.

388. Deny.

389. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

**iv. PLAINTIFF Destiney Jones – October 8, 2020**

390. Upon information and belief, admit.

391. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

392. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

393. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

394. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

395. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

396. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

397. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

398. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

399. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

400. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

401. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

402. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

403. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

404. Lack knowledge and information sufficient to form a belief as to the truth or falsity

of this Paragraph, and therefore deny and put Plaintiffs to their proof.

405. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

406. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

**v. PLAINTIFFS Erik Fanning and Sonora Larson – October 8, 2020**

407. Upon information and belief, admit.

408. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

409. Deny.

[sic]

500. Deny.

501. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

[sic]

582. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

582. [sic] Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

557. [sic] Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

558. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

559. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

560. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

561. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

562. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

563. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

564. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

565. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

566. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

567. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

568. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

569. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

570. Lack knowledge and information sufficient to form a belief as to the truth or falsity

of this Paragraph, and therefore deny and put Plaintiffs to their proof.

571. Deny.

572. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

**vi. PLAINTIFFS Rachel Dulay and Jose Hernandez Ramirez – October 8, 20202**

573. Upon information and belief, admit.

574. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

575. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

576. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

577. Deny.

578. Deny.

579. Deny.

580. Deny.

581. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

582. Deny.

583. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

584. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

585. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

586. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

587. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

588. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

589. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

590. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

591. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

592. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

593. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

594. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

595. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

596. Deny.

597. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

**vii. PLAINTIFF Suzanne Wells – October 8, 2020**

598. Upon information and belief, admit.

599. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

599. [sic] Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

600. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

601. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

602. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

603. Admit.

604. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

605. Deny.

**viii. PLAINTIFFS Carmen Palmer, (Juvenile Male) Palmer, and (Juvenile Female) Palmer – October 8, 2020**

606. Upon information and belief, admit.

607. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph specifically with regards to the undefined term “kettled,” and therefore deny and put Plaintiffs to their proof.



608. Admit that Plaintiffs were ordered out of their vehicle. As to the remaining allegations, lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph and therefore deny and put Plaintiffs to their proof.

609. Deny.

610. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

611. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

612. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

613. Deny.

614. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

615. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

616. Admit that Plaintiffs were handcuffed. As to the remaining allegations, lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

617. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

618. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

619. Lack knowledge and information sufficient to form a belief as to the truth or falsity

of this Paragraph, and therefore deny and put Plaintiffs to their proof.

620. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

621. Upon information and belief, admit that Plaintiff Carmen Palmer's car was towed. As to the remaining allegations, lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph and therefore deny and put Plaintiffs to their proof.

622. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

623. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

624. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

625. Deny.

3. [sic] *OCTOBER 9, 2020*

**PLAINTIFFS Jacqueline Bogenberger, Raine Cich, Anne Delessio-Parson, Breon Foster, Joanna Geisler, Sonora Larson, Lazarito Matheu, Aidali Rivera, William Rivera, Hector Rodriguez, William Schroeder, Angel Vega, Gabriella Vitucci, and Kathlyn Wojnar**

**i. PLAINTIFFS Joanna Geisler and William Schroeder – October 9, 2020**

626. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

627. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

628. Upon information and belief, admit.

629. Lack knowledge and information sufficient to form a belief as to the truth or falsity

of this Paragraph, and therefore deny and put Plaintiffs to their proof.

630. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

631. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

632. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

633. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

634. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

635. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

636. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

637. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

638. Deny.

639. Deny.

640. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

641. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

**ii. PLAINTIFFS William Rivera, Aidali Rivera, Hector Rodriguez, and  
Lazario Matheu – October 9, 2020**

642. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

643. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

644. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

645. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

646. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

647. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

648. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

649. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

650. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

651. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

652. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

653. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

654. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

655. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

656. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

657. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

658. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

659. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

660. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

661. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

662. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

663. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

664. Lack knowledge and information sufficient to form a belief as to the truth or falsity

of this Paragraph, and therefore deny and put Plaintiffs to their proof.

665. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

666. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

667. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

668. Deny.

669. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

670. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

671. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

672. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

673. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

674. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

675. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

676. Lack knowledge and information sufficient to form a belief as to the truth or falsity

of this Paragraph, and therefore deny and put Plaintiffs to their proof.

677. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

678. Deny.

679. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

680. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

681. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

682. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

683. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

684. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

685. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

686. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

687. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

688. Deny.

689. Deny.

690. Deny.

691. Deny.

692. Deny.

693. Deny.

694. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

695. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

**iii. PLAINTIFFS Jackie Bogenberger, Raine Cich, Angel Vega, Gabriella Vitucci, and Katelyn Wojnar – October 9, 2020**

696. Upon information and belief, admit.

697. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

698. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

699. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

700. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

701. Deny.

702. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

703. Lack knowledge and information sufficient to form a belief as to the truth or falsity



of this Paragraph, and therefore deny and put Plaintiffs to their proof.

704. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

705. Deny.

706. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

707. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

708. Deny.

709. Deny.

710. Admit that Bogenberger's phone was taken incident to arrest. As to the remaining allegations, deny.

711. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

712. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

713. Deny.

714. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

715. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

716. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

717. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

718. Admit.

719. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

720. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

721. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

722. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

723. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

724. Upon information and belief, admit.

725. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

726. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

727. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

728. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

729. Lack knowledge and information sufficient to form a belief as to the truth or falsity

of this Paragraph, and therefore deny and put Plaintiffs to their proof.

730. Deny.

731. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

732. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

733. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

**iv. PLAINTIFF Anne Delessio-Parson – October 9, 2020**

734. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

735. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

736. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

737. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

738. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

739. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

740. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

741. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

742. Admit.

743. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

744. Deny.

745. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

746. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

747. Deny.

748. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

**v. PLAINTIFF Breon Foster – October 9, 2020**

749. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

750. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

751. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

752. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

753. Lack knowledge and information sufficient to form a belief as to the truth or falsity

of this Paragraph, and therefore deny and put Plaintiffs to their proof.

754. Deny.

755. Deny.

756. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

757. Deny.

758. Deny.

759. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

760. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

761. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

762. Admit that Breon Foster voluntarily consented to provide Detective Lewandowski with a saliva sample for DNA purposes.

763. Deny.

764. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

765. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

**v. Sonora Larson – October 9, 2020**

766. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

767. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

768. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

769. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

4.[sic] *OCTOBER 10, 2020*

**PLAINTIFFS Isiah Baldwin, Katelyn Knowlton, Christina Vitolo-Haddad, Molly Nilssen, Dana McCormick, Leah Porter, Pete Sparks, and Sonja Worthy**

**i. PLAINTIFFS Kate Knowlton & Dana McCormick – October 10, 2020**

770. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

771. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

772. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

773. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

774. Admit that at approximately 7:30 the crowd control team issued “unlawful assembly” announcements to the crowd over a PA speaker. As to the remaining unspecific allegations, lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

775. Deny.

776. Lack knowledge and information sufficient to form a belief as to the truth or falsity

of this Paragraph, and therefore deny and put Plaintiffs to their proof.

777. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

778. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

779. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

780. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

781. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

782. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

783. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

784. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

785. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

786. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

787. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

788. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

789. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

790. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

791. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

792. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

793. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

794. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

795. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

796. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

797. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

798. Deny.

799. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.



800. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

801. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

802. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

803. Deny.

804. Deny.

805. Deny.

806. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

807. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

**ii. PLAINTIFF Molly Nilssen – October 10, 2020**

808. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

809. Admit that Plaintiff Nilssen was arrested. Lack knowledge and information sufficient to form a belief as to the truth or falsity of the remaining allegations in this Paragraph, and therefore deny and put Plaintiffs to their proof.

810. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

811. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

812. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

813. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

814. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

815. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

816. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

817. Admit that Plaintiff Nilsen was given a ticket for Violation of an Emergency Order. Lack knowledge and information sufficient to form a belief as to the truth or falsity of the remaining allegations in this Paragraph, and therefore deny and put Plaintiffs to their proof.

818. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

**iii. PLAINTIFFS Leah Porter, Christina Vitolo Haddad, and Sonja Worthy –  
October 10, 2020**

819. Upon information and belief, admit.

820. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

821. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

822. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

823. Upon information and belief, admit.

824. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

825. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

826. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

827. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

828. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

829. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

830. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

831. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

832. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

833. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

834. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

835. Deny.

836. Deny.

837. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

838. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

839. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

840. Deny.

841. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

**iv. PLAINTIFF Isiah Baldwin – October 10, 2020**

842. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

843. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

844. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

845. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

846. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

847. Lack knowledge and information sufficient to form a belief as to the truth or falsity

of this Paragraph, and therefore deny and put Plaintiffs to their proof.

848. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

849. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

850. Admit that on October 10, 2020, Isaiah Baldwin was cited for violation of the emergency order.

851. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

**v. PLAINTIFF Pete Sparks – October 10, 2021 [sic]**

852. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

853. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

854. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

855. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

856. Deny.

857. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

858. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

859. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

860. Deny.

861. Upon information and belief, admit.

862. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

863. Admit that Peter Sparks was issued a citation in the amount of \$1,321.00 and the issuing individual was Lt. Farina.

864. Deny.

865. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

866. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

5. [sic] *OCTOBER 11, 2020*

**i. PLAINTIFF Jill Ferguson – October 11, 2020**

867. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

868. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

869. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

870. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

871. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

872. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

873. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

874. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

875. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

876. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

877. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

878. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

879. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

880. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

881. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

882. Lack knowledge and information sufficient to form a belief as to the truth or falsity

of this Paragraph, and therefore deny and put Plaintiffs to their proof.

883. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

884. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

885. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

886. Admit that Jill Ferguson was issued a citation in the amount of \$1,321.00 and the issuing individual was Lt. Farina.

887. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

888. Deny.

**XI. RELEASE OF PLAINTIFFS PERSONAL INFORMATION FROM MOTOR VEHICLE RECORDS IN VIOLATION OF THE DPPA**

**A. BACKGROUND**

889. Paragraph 889 states a legal conclusion to which no response is required; to the extent a response is required lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

890. Admit.

891. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

892. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

893. Deny.



894. Deny.

895. Admit, Defendant Roy was working in his official capacity. Lack knowledge and information sufficient to form a belief as to the truth or falsity of the remainder of this Paragraph, and therefore deny and put Plaintiffs to their proof.

**B. PLAINTIFFS' ALLEGATIONS**

**PLAINTIFFS Andrew Aaron, Kamila Ahmed, Robert Agnew, Isiah Baldwin, Jacqueline Bogenberger, Rebecca Burrell, Raine Cich, Khalil Coleman, Taleavia Cole, Tracy Cole, Steven Conklin, Anne Delessio-Parson, Rachel Dulay, Erik Fanning, Jill Ferguson, Breon Foster, Joanna Geisler, Joseph Hayes, Percy Hayes, Destiney Jones, Adante Jordan, Mary Kachelski, Sean Kafer, Kathelyn Knowlton, Joseph Koepp, John Larry, Alex Larson, Sonora Larson, Holly Lavora, Lazarito Mathieu, Vaun Mayes, Dana McCormick, Molly Nilssen, Carmen Palmer, (juvenile male) Palmer 1, (juvenile female) Palmer 2, Leah Porter, Jose Hernandez Ramirez, William Rivera, Hector Rodriguez, Rosalind Rogers, Nathan Sabel, William Schroeder, Mariah Smith, Peter Sparks, Angel Vega, Christina Vitolo-Haddad, Gabriella Vitucci, Jayden Welch, Suzanne Wells, Brandon Wilborn, Katelyn Wojnar, and Sonja Worthy**

896. Deny.

897. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

898. Deny.

899. Deny.

900. Deny.

901. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

902. Deny.

903. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

**XII. CLAIMS FOR RELIEF**

**FIRST CLAIM FOR RELIEF**  
**42 U.S.C. § 1983. - FIRST AMENDMENT VIOLATION (CURFEW ORDER)**

**As Alleged by Plaintiffs** Jacqueline Bogenberger, Raine Cich, Tahudah Cole, Taleavia Cole, Tracy Cole, Ann Delessio-Parson, Rachel Dulay, Erik Fanning, Jill Ferguson, Breon Foster, Destiney Jones, Kathryn Knowlton, Sonora Larson, Holly Lavora, Dana McCormick, Molly Neilson, Carmen Palmer, Palmer Doe 1, Palmer Doe 2, Leah Porter, Jose Ramirez, Hector Rodriguez, Nathan Sabel, Peter Sparks, Angel Vega, Christina Vitolo-Haddad, Gabriela Vitucci, Susan Wells, Kathleen Wojnar, and Sonja Worthy, and The People's Revolution.

**Against Defendants** City of Wauwatosa and Dennis McBride

904. Defendants incorporate by reference the answers contained in the foregoing paragraphs.

905. Admit generally.

906. Admit generally.

907. Admit generally.

908. Paragraph 908 states a legal conclusion to which no response is required; to the extent a response is required lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

909. Paragraph 909 states a legal conclusion to which no response is required; to the extent a response is required admit generally.

910. Paragraph 910 states a legal conclusion to which no response is required; to the extent a response is required lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

911. Deny.

912. Deny.

913. Deny.

914. Deny.

915. Deny.

916. Deny.

917. Deny.

918. Deny.

919. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

920. Deny.

921. Deny.

922. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

923. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

924. Deny.

925. Deny.

926. Deny.

927. Deny.

928. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

929. Deny.

**SECOND CLAIM FOR RELIEF**  
**VIOLATION OF THE DRIVER'S PRIVACY PROTECTION ACT.**  
**(18 U.S.C. § 2721, et seq.)**

**As Alleged by Plaintiffs** Andrew Aaron, Robert Agnew, Kamila Ahmed, Isiah Baldwin, Jacqueline Bogenberger, Lavita Booker, Rebecca Burrell, Raine Cich, Khalil Coleman, Tahudah Cole, Taleavia Cole, Tracy Cole, Steven Conklin, Lauren Cross, Erik Fanning, Jessica Fenner, Breon Foster, Christine Groppi, Gaige Grosskreutz, Joseph Hayes, Percy Hayes, Adante Jordan,

Mary Kachelski, Sean Kafer, Joseph Koepp, John Larry, Alex Larson, Sonora Larson, Vaun Mayes, Molly Nilssen, Shawn Page, Carmen Palmer, Juvenile (male) Palmer, Juvenile (female) Palmer, Oscar Concepcion Rodriguez, Rosalind Rogers, Madeline Schiweitzer, Mariah Smith, Peter Sparks, Tiffany Stark, Angel Vega, Gabriella Vitucci, Tristiana Walls, Oscar Walton, Jayden Welch, Britta Welch, Brandon Wilborn, Trisha Wilson, and Kathelyn Wojnar,

**Against Defendant** Dominick Ratkowski and John Doe Officers (PROTESTOR TARGET LIST)

930. Defendants incorporate by reference the answers contained in the foregoing paragraphs.

931. Paragraph 931 states a legal conclusion to which no response is required; to the extent a response is required admit generally.

932. Admit.

933. Admit.

934. Admit.

935. Deny.

936. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

937. Deny.

938. Deny.

939. Deny.

940. Deny.

**THIRD CLAIM FOR RELIEF**

**42 U.S.C. § 1983 VIOLATION OF FOURTEENTH AMENDMENT –  
DENIAL OF DUE PROCESS**

**As Alleged by Plaintiffs** Andrew Aaron, Robert Agnew, Kamila Ahmed, Isiah Baldwin, Jacqueline Bogenberger, Lavita Booker, Rebecca Burrell, Raine Cich, Khalil Coleman, Tahudah Cole, Taleavia Cole, Tracy Cole, Oscar Rodriguez, Steven Conklin, Lauren Cross, Erik Fanning, Jessica Fenner, Breon Foster, Christine Groppi, Gaige Grosskreutz, Joseph Hayes, Percy Hayes, Adante Jordan, Mary Kachelski, Sean Kafer, Joseph Koepp, John Larry, Alex Larson, Sonora Larson, Vaun Mayes, Molly Nilssen, Shawn Page, Carmen Palmer, Juvenile (male) Palmer,

Juvenile (female) Palmer, Rosalind Rogers, Madeline Schiweitzer, Mariah Smith, Peter Sparks, Tiffany Stark, Angel Vega, Gabriella Vitucci, Tristiana Walls, Oscar Walton, Jayden Welch, Britta Welch, Brandon Wilborn, Trisha Wilson, Kathelyn Wojnar, and members of the People's Revolution an unincorporated entity.

**Against Defendant CITY OF WAUWATOSA (MONELL)**

941. Defendants incorporate by reference the answers contained in the foregoing paragraphs.

942. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

943. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

944. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

945. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

946. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

947. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

948. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

949. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

950. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

**FOURTH CLAIM FOR RELIEF**

**42 U.S.C. § 1983. - First Amendment and Fourteenth Amendment (Protester List)**

**As Alleged by Plaintiffs** Andrew Aaron, Robert Agnew, Kamila Ahmed, Isiah Baldwin, Jacqueline Bogenberger, Lavita Booker, Rebecca Burrell, Raine Cich, Khalil Coleman, Tahudah Cole, Taleavia Cole, Tracy Cole, Steven Conklin, Lauren Cross, Erik Fanning, Jessica Fenner, Breon Foster, Christine Groppi, Gaige Grosskreutz, Joseph Hayes, Percy Hayes, Adante Jordan, Mary Kachelski, Sean Kafer, Joseph Koepp, John Larry, Alex Larson, Sonora Larson, Vaun Mayes, Molly Nilssen, Shawn Page, Carmen Palmer, Juvenile (male) Palmer, Juvenile (female) Palmer, Oscar Concepcion Rodriguez, Rosalind Rogers, Madeline Schiweitzer, Mariah Smith, Peter Sparks, Tiffany Stark, Angel Vega, Gabriella Vitucci, Tristiana Walls, Oscar Walton, Jayden Welch, Britta Welch, Brandon Wilborn, Trisha Wilson, and Kathelyn Wojnar

**Against Defendant Dominick Ratkowski**

951. Defendants incorporate by reference the answers contained in the foregoing

paragraphs.

952. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

953. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

954. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

955. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

#### **FIFTH CLAIM FOR RELIEF**

#### **42 U.S.C. § 1983. - FIRST AMENDMENT RETALIATION**

**As Alleged by Plaintiffs** Andrew Aaron, Kamila Ahmad, Isiah Baldwin, Jacqueline Bogenberger Raine Cich, Khalil Coleman, Tahudah Cole, Taleavia Cole, Tracy Cole, Anne Delessio-Parson, Rachel Dulay, Erik Fanning, Breon Foster, Joanna Geisler, Joseph Hayes, Destiney Jones, Sean Kafer, Kathryn Knowlton, Sonora Larson, Holly Lavora, Dana McCormick, Molly Nilssen, Carmen Palmer, Palmer Juvenile Female 1, Palmer Juvenile Male 2, Leah Porter, Jose Ramirez, Hector Rodriguez, Rosalind Rogers, Nathan Sabel, William Schroeder, Mariah Smith, Peter Sparks, Angel Vega, Christina Vitolo-Haddad, Gabriella Vitucci, Suzanne Wells, Brandon Wilborn, Katelyn Wojnar, Sonja Worthy and the People's Revolution

**Against Defendants** Jeffrey Farina, Luke Vetter, George Opelt, Timothy Warren, Robert Piehl, Daniel Mitchell, Russell Richardson, Joseph Lewandowski, and JOHN DOES 1-100

956. Defendants incorporate by reference the answers contained in the foregoing paragraphs.

957. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

958. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

959. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

960. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

961. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

962. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

963. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

964. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

965. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

966. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

967. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

968. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

969. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

970. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

971. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

972. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

973. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

974. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

975. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

976. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof. Affirmatively states claim was dismissed by the Court on 08/24/2022.

977. Admit and affirmatively states claim was dismissed by the Court on 08/24/2022.

978. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

979. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

980. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

981. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof. Affirmatively states claim was dismissed by the Court on 08/24/2022.

982. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

**SIXTH CLAIM FOR RELIEF**  
**42 U.S.C. 1983 - Deliberate Indifference**

**As Alleged by Plaintiffs** Sonora Larson, Peter Sparks, Lazarito Matheu, Aidali Rivera, William

Rivera, and Hector Rodriguez

**Against Defendant** Barry Weber

983. Defendants incorporate by reference the answers contained in the foregoing paragraphs.

984. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

985. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

986. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

987. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

988. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

989. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

990. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

991. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

992. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

993. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof. Affirmatively states claim was dismissed by the Court on 08/24/2022.

994. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

995. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

**SEVENTH CLAIM FOR RELIEF**  
**42 U.S.C. § 1983. - FIRST AMENDMENT VIOLATION**  
**(EXCESSIVE FORCE & ARREST)**

**AS ALLEGED BY PLAINTIFFS** Isiah Baldwin, Jacqueline Bogenberger, Raine Cich, Tahudah Cole, Taleavia Cole, Tracy Cole, Anne Delessio-Parson, Rachel Dulay, Erik Fanning, Jill Ferguson, Breon Foster, Joanna Geisler, Joseph Hayes, Destiney Jones, Sean Kafer, Kathryn Knowlton, Sonora Larson, Holly Lavora, Dana McCormick, Molly Nilssen, Carmen Palmer, Palmer Juvenile Female 1, Palmer Juvenile Male 2, Leah Porter, Jose Ramirez, Hector Rodriguez, Rosalind Rogers, Nathan Sabel, William Schroeder, Mariah Smith, Peter Sparks, Angel Vega,



Christina Vitolo-Haddad, Gabriella Vitucci, Susan Wells, Brandon Wilborn, Katelyn Wojnar, Sonja Worthy, And The Peoples Revolution

**AGAINST DEFENDANTS'** City Of Wauwatosa, Jeffrey Farina, Joseph Lewanadowski, Dennis McBride, Daniel Mitchell, Robert Piehl, George Opelt, Luke Vetter, Barry Weber Timothy Warren, Russell Richardson And John Does 1-100

996. Defendants incorporate by reference the answers contained in the foregoing paragraphs.

997. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof. Affirmatively states claim was dismissed by the Court on 08/24/2022.

998. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

999. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1000. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1001. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1002. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1003. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1004. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1005. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1006. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1007. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1008. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1009. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof. Affirmatively states claim was dismissed by the Court on 08/24/2022.

1010. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof. Affirmatively states claim was dismissed by the Court on 08/24/2022.

1011. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1012. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1013. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof. Affirmatively states claim was dismissed by the Court on 08/24/2022.

1014. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof. Affirmatively states claim was dismissed by the Court on 08/24/2022.

1015. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1016. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof. Affirmatively states claim was dismissed by the Court on 08/24/2022.

1017. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1018. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1019. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1020. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1021. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1022. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1023. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof. Affirmatively states claim

was dismissed by the Court on 08/24/2022.

1024. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1025. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof. Affirmatively states claim was dismissed by the Court on 08/24/2022.

1026. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1027. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1028. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1029. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1030. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof. Affirmatively states claim was dismissed by the Court on 08/24/2022.

1031. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

**EIGHTH CLAIM FOR RELIEF**  
**42 U.S.C. § 1983 - Excessive Force**  
**(September 5, 2020, October 8 – 10, 2020)**

**As to Plaintiffs** Taleavia Cole, Tracy Cole, Rachel Dulay, Erik Fanning, Destiney Jones, Sonora Larson, Carmen Palmer, Palmer Juvenile Female 1, Palmer Juvenile Female 2, Lazarito Matheu, Peter Sparks, Jose Ramirez, Aidali Rivera, William Rivera, Hector Rodriguez, and Mariah Smith

**Against Defendants** Officers Jeffrey Farina, Joseph Lewandowski, Daniel Mitchell, George Opelt, Robert Piehl, Russell Richardson James Short, Luke Vetter, Kelly Zielinski, and John Doe Officers

1032. Defendants incorporate by reference the answers contained in the foregoing paragraphs.

1033. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1034. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1035. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1036. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1037. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1038. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1039. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1040. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1041. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1042. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1043. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1044. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1045. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1046. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof. Affirmatively states claim was dismissed by the Court on 08/24/2022.

1047. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1048. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1049. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof. Affirmatively states claim was dismissed by the Court on 08/24/2022.

1050. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1051. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1052. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof. Affirmatively states claim

was dismissed by the Court on 08/24/2022.

1053. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1054. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1055. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1056. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof. Affirmatively states claim was dismissed by the Court on 08/24/2022.

1057. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof. Affirmatively states claim was dismissed by the Court on 08/24/2022.

1058. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1059. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1060. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1061. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1062. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

**NINTH CLAIM FOR RELIEF**  
**42 U.S.C. § 1983. – UNLAWFUL ARREST**

**As Alleged By Plaintiffs** Oscar Concepcion, Holly Lavora, Nathan Sabel, William Rivera, Aidali Rivera, Hector Rodriguez, Lazarito Matheu, Jackie Bogenberger, Raine Cich, Angel Vega, Gabriella Vitucci, Katelyn Wojnar, Anne Delessio-Parson, Kathryn Knowlton, Dana McCormick, Molly Nilssen, Leah Porter, Christina Vitolo Haddad, Isiah Baldwin, Jill Ferguson and Sonja Worthy

**Against Defendants** Farina And John Does 1-100

1063. Defendants incorporate by reference the answers contained in the foregoing paragraphs.

1064. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1065. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1066. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1067. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1068. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1069. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1070. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof. Affirmatively states claim was dismissed by the Court on 08/24/2022.

1071. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

**TENTH CLAIM FOR RELIEF**

**42 U.S.C. § 1983. – UNLAWFUL SEARCH AND SEIZURE (CARS, PHONES)**

**As Alleged by Plaintiffs**, Jacqueline Bogenberger, Tahudah Cole, Taleavia Cole, Jill Ferguson, Destiney Jones, Holly Lavora, Carmen Palmer, Palmer Juvenile Female 1, Palmer Juvenile Male 2, Lazarito Matheu, Aidali Rivera, William Rivera, Hector Rodriguez, and Gabriella Vitucci

**Against Defendants** Joseph Lewandowski, Shane Wrucke, Brian Skornia, Maria Arbiter, Timothy Warren and John Doe Officers

1072. Defendants incorporate by reference the answers contained in the foregoing paragraphs.

1073. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1074. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1075. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1076. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof. Affirmatively states claim was dismissed by the Court on 08/24/2022.

1077. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

**ELEVENTH CLAIM FOR RELIEF**  
**Violation of Title VI**

**As Alleged by Plaintiff** William Rivera

**Against Defendant** City of Wauwatosa

1078. Defendants incorporate by reference the answers contained in the foregoing paragraphs.

1079. Admit.

1080. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

1081. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

1082. Deny.

1083. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

1084. Deny.

**TWELVTH CLAIM FOR RELIEF**  
**42 U.S.C. § 1983. – Equal Protection**

**As Alleged by Plaintiff** William Rivera

**Against Defendants** John Does 1-100

1085. Defendants incorporate by reference the answers contained in the foregoing paragraphs.

1086. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

1087. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1088. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

1089. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

**THIRTEENTH CLAIM FOR RELIEF**  
**STATE LAW CLAIM MALICIOUS PROSECUTION (Wisconsin State Law)**

**As Alleged by Plaintiffs** Isiah Baldwin, Aidali Rivera, and Rosalind Rogers

**Against Defendant** Jeffrey Farina

1090. Defendants incorporate by reference the answers contained in the foregoing paragraphs.

1091. Paragraph 1091 states a legal conclusion to which no response is required; to the extent a response is required admit 28 U.S.C. 1367 allows this Court to exercise supplemental jurisdiction over state-law claims.

1092. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1093. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1094. Deny and affirmatively states this claim as it relates to Schimmel was dismissed by the Court on 08/24/2022.

1095. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

1096. Deny.

1097. Deny and affirmatively states claim was dismissed by the Court on 08/24/2022.

1098. Deny and affirmatively states this claim as it relates to Schimmel was dismissed by the Court on 08/24/2022.

1099. Lack knowledge and information sufficient to form a belief as to the truth or falsity



of this Paragraph, and therefore deny and put Plaintiffs to their proof.

1100. Deny and affirmatively states this claim as it relates to Schimmel was dismissed by the Court on 08/24/2022.

1101. Deny.

1102. Deny and affirmatively states this claim was dismissed by the Court on 08/24/2022.

**FOURTEENTH CLAIM FOR RELIEF**  
**VIOLATION OF THE DRIVER'S PRIVACY PROTECTION ACT**  
**(18 U.S.C. § 2721, et seq.)**

**As Alleged by Plaintiffs** Andrew Aaron, Kamila Ahmed, Robert Agnew, Isiah Baldwin, Jacqueline Bogenberger, Rebecca Burrell, Raine Cich, Khalil Coleman, Taleavia Cole, Steven Conklin, Anne Delessio-Parson, Rachel Dulay, Erik Fanning, Jill Ferguson, Breon Foster, Joanna Geisler, Joseph Hayes, Percy Hayes, Destiney Jones, Adante Jordan, Mary Kachelski, Sean Kafer, Kathelyn Knowlton, Joseph Koepp, John Larry, Alex Larson, Sonora Larson, Holly Lavora, Lazarito Mathieu, Vaun Mayes, Dana McCormick, Molly Nilssen, Carmen Palmer, (juvenile male) Palmer 1, (juvenile female) Palmer 2, Leah Porter, Jose Hernandez Ramirez, William Rivera, Hector Rodriguez, Rosalind Rogers, Nathan Sabel, William Schroeder, Mariah Smith, Peter Sparks, Angel Vega, Christina Vitolo-Haddad, Gabriella Vitucci, Jayden Welch, Suzanne Wells, Brandon Wilborn, Katelyn Wojnar, and Sonja Worthy

**Against Defendant** Joseph Roy

1103. These Defendants reallege and incorporate Paragraphs 1 through 1102 of this Answer.

1104. Paragraph 1104 states a legal conclusion to which no response is required; to the extent a response is required admit generally.

1105. Paragraph 1105 states a legal conclusion to which no response is required; to the extent a response is required admit generally.

1106. Paragraph 1106 states a legal conclusion to which no response is required; to the extent a response is required admit generally.

1107. Paragraph 1107 states a legal conclusion to which no response is required; to the extent a response is required admit generally.

1108. Paragraph 1108 states a legal conclusion to which no response is required; to the extent a response is required admit generally.

1109. Paragraph 1109 states a legal conclusion to which no response is required; to the extent a response is required admit generally.

1110. Lack knowledge and information sufficient to form a belief as to the truth or falsity of this Paragraph, and therefore deny and put Plaintiffs to their proof.

1111. Deny.

1112. Deny.

1113. Deny.

1114. Deny.

**Requests for relief:**

1. These Defendants deny the Plaintiffs are entitled to the relief requested.
2. These Defendants deny the Plaintiffs are entitled to the relief requested.
3. These Defendants deny the Plaintiffs are entitled to the relief requested.
4. These Defendants deny the Plaintiffs are entitled to the relief requested.
5. These Defendants deny the Plaintiffs are entitled to the relief requested.
6. These Defendants deny the Plaintiffs are entitled to the relief requested.
7. These Defendants deny the Plaintiffs are entitled to the relief requested.
8. These Defendants deny the Plaintiffs are entitled to the relief requested.
9. These Defendants deny the Plaintiffs are entitled to the relief requested.
10. These Defendants deny the Plaintiffs are entitled to the relief requested.
11. These Defendants deny the Plaintiffs are entitled to the relief requested.
  - a) These Defendants deny the Plaintiffs are entitled to the relief requested.

- b) These Defendants deny the Plaintiffs are entitled to the relief requested.
  - c) These Defendants deny the Plaintiffs are entitled to the relief requested.
  - d) These Defendants deny the Plaintiffs are entitled to the relief requested.
  - e) These Defendants deny the Plaintiffs are entitled to the relief requested.
- 12. These Defendants deny the Plaintiffs are entitled to the relief requested.
  - 13. These Defendants deny the Plaintiffs are entitled to the relief requested.
  - 14. These Defendants deny the Plaintiffs are entitled to the relief requested.
  - 15. These Defendants deny the Plaintiffs are entitled to the relief requested.
  - 16. These Defendants deny the Plaintiffs are entitled to the relief requested.
  - 17. These Defendants deny the Plaintiffs are entitled to the relief requested.
  - 18. These Defendants deny the Plaintiffs are entitled to the relief requested.
  - 19. These Defendants deny the Plaintiffs are entitled to the relief requested.
  - 20. These Defendants deny the Plaintiffs are entitled to the relief requested.
  - 21. These Defendants deny the Plaintiffs are entitled to the relief requested.
  - 22. These Defendants deny the Plaintiffs are entitled to the relief requested.
  - 23. These Defendants deny the Plaintiffs are entitled to the relief requested.
  - 24. These Defendants deny the Plaintiffs are entitled to the relief requested.
  - 25. These Defendants deny the Plaintiffs are entitled to the relief requested.

### **AFFIRMATIVE DEFENSES**

- 1. Plaintiffs' Complaint fails to state a claim upon which relief can be granted.
- 2. Plaintiffs' state law claims are subject to the procedural prerequisites for bringing or maintaining a cause of action under § 893.80(1)(a) and (1)(b), Wis. Stats. and the exclusions, immunities and limitations on liability set forth in § 893.80, Wis. Stats.

3. Any injuries or damages suffered by the Plaintiffs were caused by their own conduct and/or the conduct and contributory negligence of a third party other than the Defendants.

4. The actions of the Plaintiffs were for the sole purpose of provoking law enforcement to arrest them and were done for no other lawful reason.

5. The Plaintiffs may have failed to mitigate their damages.

6. All of the acts for the answering Defendants were in good faith and not motivated by malice or the intent to harm.

7. Plaintiffs are not entitled to punitive damages.

8. Defendants are entitled to qualified immunity from suit.

9. Defendants are entitled to discretionary act immunity.

10. The injuries and damages, if any, were not caused by a governmental policy or practice of these Answering Defendants.

11. One or more of Plaintiffs' claims may not be cognizable by the *Heck* doctrine, the lack of a seizure or the existence of probable cause.

12. No individual defendant can be found liable for the actions of any other individual defendant(s) under a theory of respondeat superior, or supervisory liability.

13. Defendants are entitled to prosecutorial immunity.

14. Defendants are entitled to sovereign immunity.

15. Plaintiffs lack standing to sue.

**WHEREFORE**, Defendants' demand judgment dismissing this matter and awarding them their costs and reasonable attorney's fees.

**THE DEFENDANTS DEMAND A JURY TRIAL**

Dated at Wauwatosa, Wisconsin this 7<sup>th</sup> day of September 2022.

**WIRTH + BAYNARD**  
Attorneys for Defendants

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